

16138 U.S.PTO

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	CHM-010
First Inventor	Michael John Rutter
Title	Tracheotomy Endotracheal Tube
Express Mail Label No.	EL966243489US

0310845128
10/31/2003

121503

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

1. Fee Transmittal Form (e.g. PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status – See 37 CFR 1.27
3. Specification [Total Pages **11**]
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claims
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets **2**]
5. Oath or Declaration [Total Pages **1**]
 - a. Newly executed (original copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 Completed)
 - i. **DELETION OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet (see 37 CFR 1.76)

ADDRESS TO: Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement (when there is an assignee)
 - Power of Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS/PTO-SB08 or SB-1449)
 - Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).
Applicant must attach form PTO/SB/35 or its equivalent.
17. Other:

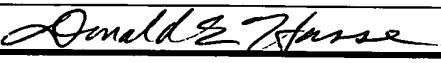
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application no.
Prior Application information: Examiner: Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	38155 (insert Customer Number or attach bar code label here)
---	---

Name (print/type)	Donald E. Hasse	Registration No. (Attorney/Agent)	29,387
Signature			Date
			December 15, 2003

FEE TRANSMITTAL

(Patent Fees are subject to annual revision)

Applicant claims small entity status. (See 37 CFR 1.27)

TOTAL AMOUNT OF PAYMENT **\$439.00**

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account:

Deposit Account Number

Deposit Account Name

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
1001	2001	Utility filing fee	385.00
1002	2002	Design filing fee	.00
1003	2003	Plant filing fee	.00
1004	2004	Reissue filing fee	.00
1005	2005	Provisional filing fee	.00
Subtotal (1)		(\$)	385.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from Below	Fee Paid
Total Claims	26	- 20** = 6	X 9 = 54.00
Independent Claims	3	- 3** = 0	X 0 = 0.00
Multiple Claims			0.00

Large Entity	Small Entity	Fee Description
1202	2202	Claims in excess of 20
1201	2201	Independent claims in excess of 3
1203	2203	Multiple dependent claim, if not paid
1204	2204	**Reissue independent claims over original patent
1205	2205	**Reissue claims in excess of 20 and over original patent
Subtotal (2)		(\$)
54.00		

** or number previously paid, if greater; For Reissues, see above

Complete if Known

Application Number		
Filing Date		
First Named Inventor	Michael John Rutter	
Examiner Name		
Art Unit		
Attorney Docket No.	CHM-010	

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Codes	Fee Description	Paid
		1051	2051 Surcharge – late filing fee or oath	<input type="checkbox"/>
		1052	2052 Surcharge – late provisional filing fee or cover sheet	<input type="checkbox"/>
		1053	1053 Non-English specification	<input type="checkbox"/>
		1812	1812 Filing a request for ex parte reexamination	<input type="checkbox"/>
		1804	1804 * Requesting publication of SIR prior to Examiner action	<input type="checkbox"/>
		1805	1805 Requesting publication of SIR after Examiner action	<input type="checkbox"/>
		1251	2251 Extension for reply within first month	<input type="checkbox"/>
		1252	2252 Extension for reply within second month	<input type="checkbox"/>
		1253	2253 Extension for reply within third month	<input type="checkbox"/>
		1254	2254 Extension for reply within fourth month	<input type="checkbox"/>
		1255	2255 Extension for reply within fifth month	<input type="checkbox"/>
		1401	2401 Notice of Appeal	<input type="checkbox"/>
		1402	2402 Filing a brief in support of an appeal	<input type="checkbox"/>
		1403	2403 Request for oral hearing	<input type="checkbox"/>
		1451	1451 Petition to institute a public use proceeding	<input type="checkbox"/>
		1452	2452 Petition to revive – unavoidable	<input type="checkbox"/>
		1453	2453 Petition to revive - unintentional	<input type="checkbox"/>
		1501	2501 Utility issue fee (or reissue)	<input type="checkbox"/>
		1502	2502 Design issue fee	<input type="checkbox"/>
		1503	2503 Plant issue fee	<input type="checkbox"/>
		1460	1460 Petitions to the Commissioner	<input type="checkbox"/>
		1807	1807 Processing fee under 37 CFR 1.17(q)	<input type="checkbox"/>
		1806	1806 Submission of Inform. Discl. Statement	<input type="checkbox"/>
		8021	8021 Recording each patent assignment	<input type="checkbox"/>
		1809	2809 Filing a submission after final rejection (37 CFR 1.29(a))	<input type="checkbox"/>
		1810	2810 For each additional invention to be examined (37 CFR 1.129(b))	<input type="checkbox"/>
		1801	2801 Request for Continued Examination (RCE)	<input type="checkbox"/>
		1802	1802 Request for expedited examination of a design application	<input type="checkbox"/>
Other fee (specify) _____				<input type="checkbox"/>
*Reduced by Basic Filing Fee Paid				<input type="checkbox"/>

Subtotal (3) **(\$)** **0.00**

SUBMITTED BY

Complete if applicable

Name (print/type)	Donald E. Hasse	Registration No.	29,387	Telephone	513-229-0383
Signature				Date	December 15, 2003